

Union Calendar No. 57

104TH CONGRESS
1ST SESSION

H. R. 1141

[Report No. 104–107, Parts I and III]

To amend the Act popularly known as the “Sikes Act” to enhance fish and wildlife conservation and natural resources management programs.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1995

Mr. YOUNG of Alaska (for himself, Mr. SAXTON, and Mr. STUDDS) introduced the following bill; which was referred to the Committee on Resources

MAY 1, 1995

Reported with an amendment and referred to the Committee on National Security for a period ending not later than June 1, 1995 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(n), rule X

[Strike out all after the enacting clause and insert the part printed in italic]

JUNE 1, 1995

Reported from the Committee on National Security with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in boldface italic]

[For text of introduced bill, see copy of bill as introduced on March 6, 1995]

A BILL

To amend the Act popularly known as the “Sikes Act” to enhance fish and wildlife conservation and natural resources management programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Sikes Act Improvement*
5 *Amendments of 1995”.*

6 **SEC. 2. AMENDMENT OF SIKES ACT.**

7 *Except as otherwise expressly provided, whenever in*
8 *this Act an amendment or repeal is expressed in terms of*
9 *an amendment to, or repeal of, a section or other provision,*
10 *the reference shall be considered to be made to a section or*
11 *other provision of the Act entitled “An Act to promote effec-*
12 *tual planning, development, maintenance, and coordination*
13 *of wildlife, fish, and game conservation and rehabilitation*
14 *in military reservations”, approved September 15, 1960 (16*
15 *U.S.C. 670a et seq.), commonly referred to, and in this Act*
16 *referred to, as the “Sikes Act”.*

17 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**
18 **PLANS GENERALLY.**

19 *(a) IN GENERAL.—Section 101(a) (16 U.S.C. 670a(a))*
20 *is amended—*

21 *(1) by striking “is authorized to” and inserting*
22 *“shall”;*

23 *(2) by striking “in each military reservation in*
24 *accordance with a cooperative plan” and inserting*
25 *the following: “on military installations. Under the*

1 *program, the Secretary shall prepare and implement*
2 *for each military installation in the United States an*
3 *integrated natural resource management plan”;*

4 *(3) by inserting after “reservation is located” the*
5 *following: “, except that the Secretary is not required*
6 *to prepare such a plan for a military installation if*
7 *the Secretary determines that preparation of such a*
8 *plan for the installation is not appropriate”; and*

9 *(4) by inserting “(1)” after “(a)”, and adding at*
10 *the end the following new paragraph:*

11 *“(2) Consistent with essential military require-*
12 *ments to enhance the national security of the United*
13 *States, the Secretary of Defense shall manage each*
14 *military installation to provide—*

15 *“(A) for the conservation of fish and wild-*
16 *life on the military installation and sustained*
17 *multipurpose uses of those resources, including*
18 *hunting, fishing, and trapping; and*

19 *“(B) public access that is necessary or ap-*
20 *propriate for those uses.”.*

21 *(b) CONFORMING AMENDMENTS.—Title I, as amended*
22 *by subsection (a) of this section, is further amended—*

23 *(1) in section 101(b) (16 U.S.C. 670a(b)) in the*
24 *matter preceding paragraph (1) by striking “coopera-*

1 *tive plan” and inserting “integrated natural resource*
2 *management plan”;*

3 (2) *in section 101(b)(4) (16 U.S.C. 670a(b)(4))*
4 *by striking “cooperative plan” each place it appears*
5 *and inserting “integrated natural resource manage-*
6 *ment plan”;*

7 (3) *in section 101(c) (16 U.S.C. 670a(c)) in the*
8 *matter preceding paragraph (1) by striking “a coop-*
9 *erative plan” and inserting “an integrated natural*
10 *resource management plan”;*

11 (4) *in section 101(d) (16 U.S.C. 670a(d)) in the*
12 *matter preceding paragraph (1) by striking “coopera-*
13 *tive plans” and inserting “integrated natural re-*
14 *source management plans”;*

15 (5) *in section 101(e) (16 U.S.C. 670a(e)) by*
16 *striking “Cooperative plans” and inserting “Inte-*
17 *grated natural resource management plans”;*

18 (6) *in section 102 (16 U.S.C. 670b) by striking*
19 *“a cooperative plan” and inserting “an integrated*
20 *natural resource management plan”;*

21 (7) *in section 103 (16 U.S.C. 670c) by striking*
22 *“a cooperative plan” and inserting “an integrated*
23 *natural resource management plan”;*

1 (8) *in section 106(a) (16 U.S.C. 670f(a)) by*
2 *striking “cooperative plans” and inserting “inte-*
3 *grated natural resource management plans”;* and

4 (9) *in section 106(c) (16 U.S.C. 670f(c)) by*
5 *striking “cooperative plans” and inserting “inte-*
6 *grated natural resource management plans”.*

7 (c) *CONTENTS OF PLANS.—Section 101(b) (16 U.S.C.*
8 *670a(b)) is amended—*

9 (1) *in paragraph (1)—*

10 (A) *in subparagraph (C) by striking “and”*
11 *after the semicolon;*

12 (B) *in subparagraph (D) by striking the*
13 *semicolon at the end and inserting a comma;*
14 *and*

15 (C) *by adding at the end the following:*

16 “(E) *wetland protection and restoration,*
17 *and wetland creation where necessary, for sup-*
18 *port of fish or wildlife,*

19 “(F) *consideration of conservation needs for*
20 *all biological communities, and*

21 “(G) *the establishment of specific natural*
22 *resource management goals, objectives, and time-*
23 *frames for proposed actions;”;*

24 (2) *by striking paragraph (3);*

1 (3) by redesignating paragraph (2) as para-
2 graph (3);

3 (4) by inserting after paragraph (1) the follow-
4 ing:

5 “(2) shall for the military installation for which
6 it is prepared—

7 “(A) address the needs for fish and wildlife
8 management, land management, forest manage-
9 ment, and wildlife-oriented recreation;

10 “(B) ensure the integration of, and consist-
11 ency among, the various activities conducted
12 under the plan;

13 “(C) ensure that there is no net loss in the
14 capability of installation lands to support the
15 military mission of the installation;

16 “(D) provide for sustained use by the public
17 of natural resources, to the extent that such use
18 is not inconsistent with the military mission of
19 the installation or the needs of fish and wildlife
20 management;

21 “(E) provide the public access to the instal-
22 lation that is necessary or appropriate for that
23 use, to the extent that access is not inconsistent
24 with the military mission of the installation;
25 and

1 “(F) provide for professional enforcement of
2 natural resource laws and regulations;”; and

3 (5) in paragraph (4)(A) by striking “collect the
4 fees therfor,” and inserting “collect, spend, admin-
5 ister, and account for fees therefor.”.

6 (d) *PUBLIC COMMENT*.—Section 101 (16 U.S.C. 670a)
7 is amended by adding at the end the following:

8 “(f) *PUBLIC COMMENT*.—The Secretary of Defense
9 shall provide an opportunity for public comment on each
10 integrated natural resource management plan prepared
11 under subsection (a).”.

12 **SEC. 4. REVIEW FOR PREPARATION OF INTEGRATED NATU-**
13 **RAL RESOURCE MANAGEMENT PLANS.**

14 (a) *REVIEW OF MILITARY INSTALLATIONS*.—

15 (1) *REVIEW*.—The Secretary of each military de-
16 partment shall, by not later than 9 months after the
17 date of the enactment of this Act—

18 (A) review each military installation in the
19 United States that is under the jurisdiction of
20 that Secretary to determine the military instal-
21 lations for which the preparation of an inte-
22 grated natural resource management plan under
23 section 101 of the Sikes Act, as amended by this
24 Act, is appropriate; and

1 (B) submit to the Secretary of Defense a re-
2 port on those determinations.

3 (2) *REPORT TO CONGRESS.*—The Secretary of
4 Defense shall, by not later than 12 months after the
5 date of the enactment of this Act, submit to the Con-
6 gress a report on the reviews conducted under para-
7 graph (1). The report shall include—

8 (A) a list of those military installations re-
9 viewed under paragraph (1) for which the Sec-
10 retary of Defense determines the preparation of
11 an integrated natural resource management plan
12 is not appropriate; and

13 (B) for each of the military installations
14 listed under subparagraph (A), an explanation
15 of the reasons such a plan is not appropriate.

16 (b) *DEADLINE FOR INTEGRATED NATURAL RESOURCE*
17 *MANAGEMENT PLANS.*—Not later than 2 years after the
18 date of the submission of the report required under sub-
19 section (a)(2), the Secretary of Defense shall, for each mili-
20 tary installation for which the Secretary has not deter-
21 mined under subsection (a)(2)(A) that preparation of an
22 integrated natural resource management plan is not appro-
23 priate—

24 (1) prepare and begin implementing such a plan
25 mutually agreed to by the Secretary of the Interior

1 *and the head of the appropriate State agencies under*
2 *section 101(a) of the Sikes Act, as amended by this*
3 *Act; or*

4 *(2) in the case of a military installation for*
5 *which there is in effect a cooperative plan under sec-*
6 *tion 101(a) of the Sikes Act on the day before the date*
7 *of the enactment of this Act, complete negotiations*
8 *with the Secretary of the Interior and the heads of the*
9 *appropriate State agencies regarding changes to that*
10 *plan that are necessary for the plan to constitute an*
11 *integrated natural resource plan that complies with*
12 *that section, as amended by this Act.*

13 *(c) PUBLIC COMMENT.—The Secretary of Defense shall*
14 *provide an opportunity for the submission of public com-*
15 *ments on—*

16 *(1) integrated natural resource management*
17 *plans proposed pursuant to subsection (b)(1); and*

18 *(2) changes to cooperative plans proposed pursu-*
19 *ant to subsection (b)(2).*

20 **SEC. 5. ANNUAL REVIEWS AND REPORTS.**

21 *Section 101 (16 U.S.C. 670a) is further amended by*
22 *adding after subsection (f) (as added by section 3(d) of this*
23 *Act) the following:*

24 *“(g) REVIEWS AND REPORTS.—*

1 “(1) *SECRETARY OF DEFENSE.*—*The Secretary of*
2 *Defense shall, by not later than March 1 of each year,*
3 *review the extent to which integrated natural resource*
4 *management plans were prepared or in effect and im-*
5 *plemented in accordance with this Act in the preced-*
6 *ing year, and submit a report on the findings of that*
7 *review to the committees. Each report shall include—*

8 “(A) *the number of integrated natural re-*
9 *source management plans in effect in the year*
10 *covered by the report, including the date on*
11 *which each plan was issued in final form or*
12 *most recently revised;*

13 “(B) *the amount of moneys expended on*
14 *conservation activities conducted pursuant to*
15 *those plans in the year covered by the report, in-*
16 *cluding amounts expended under the Legacy Re-*
17 *source Management Program established under*
18 *section 8120 of the Act of November 5, 1990*
19 *(Public Law 101–511; 104 Stat. 1905); and*

20 “(C) *an assessment of the extent to which*
21 *the plans comply with the requirements of sub-*
22 *section (b) (1) and (2), including specifically the*
23 *extent to which the plans ensure in accordance*
24 *with subsection (b)(2)(C) that there is no net loss*

1 *of lands to support the military missions of mili-*
2 *tary installations.*

3 “(2) *SECRETARY OF THE INTERIOR.*—*The Sec-*
4 *retary of the Interior, by not later than March 1 of*
5 *each year and in consultation with State agencies re-*
6 *sponsible for conservation or management of fish or*
7 *wildlife, shall submit a report to the committees on*
8 *the amount of moneys expended by the Department of*
9 *the Interior and those State agencies in the year cov-*
10 *ered by the report on conservation activities con-*
11 *ducted pursuant to integrated natural resource man-*
12 *agement plans.*

13 “(3) *COMMITTEES DEFINED.*—*For purposes of*
14 *this subsection, the term ‘committees’ means the Com-*
15 *mittees on Resources and National Security of the*
16 *House of Representatives and the Committees on*
17 *Armed Services and Environment and Public Works*
18 *of the Senate.’.*

19 **SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATURAL**
20 **RESOURCE MANAGEMENT PLANS; ENFORCE-**
21 **MENT OF OTHER LAWS.**

22 *Title I (16 U.S.C. 670a et seq.) is amended—*

23 *(1) by redesignating section 106 as section 110;*
24 *and*

25 *(2) by inserting after section 105 the following:*

1 ***“SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.***

2 *“All Federal laws relating to the conservation of natu-*
3 *ral resources on Federal lands may be enforced by the Sec-*
4 *retary of Defense with respect to violations of those laws*
5 *which occur on military installations within the United*
6 *States.”.*

7 ***SEC. 7. NATURAL RESOURCE MANAGEMENT SERVICES.***

8 *Title I (16 U.S.C. 670a et seq.) is amended by insert-*
9 *ing after section 106 (as added by section 6 of this Act)*
10 *the following:*

11 ***“SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.***

12 *“The Secretary of each military department shall en-*
13 *sure that sufficient numbers of professionally trained natu-*
14 *ral resource management personnel and natural resource*
15 *law enforcement personnel are available and assigned re-*
16 *sponsibility to perform tasks necessary to comply with this*
17 *Act, including the preparation and implementation of inte-*
18 *grated natural resource management plans.”.*

19 ***SEC. 8. DEFINITIONS.***

20 *Title I (16 U.S.C. 670a et seq.) is further amended*
21 *by inserting after section 107 (as added by section 7 of this*
22 *Act) the following:*

23 ***“SEC. 108. DEFINITIONS.***

24 *“In this title:*

25 *“(1) MILITARY DEPARTMENT.—The term ‘mili-*
26 *tary department’ means the Department of the Army,*

1 *the Department of the Navy, and the Department of*
2 *the Air Force.*

3 “(2) *MILITARY INSTALLATION.*—*The term ‘mili-*
4 *tary installation’—*

5 “(A) *means any land or interest in land*
6 *owned by the United States and administered by*
7 *the Secretary of Defense or the head of a mili-*
8 *tary department; and*

9 “(B) *includes all public lands withdrawn*
10 *from all forms of appropriation under public*
11 *land laws and reserved for use by the Secretary*
12 *of Defense or the head of a military department.*

13 “(3) *STATE FISH AND WILDLIFE AGENCY.*—*The*
14 *term ‘State fish and wildlife agency’ means an agen-*
15 *cy of State government that is responsible under State*
16 *law for managing fish or wildlife resources.*

17 “(4) *UNITED STATES.*—*The term ‘United States’*
18 *means the States, the District of Columbia, and the*
19 *territories and possessions of the United States.’.*

20 **SEC. 9. SHORT TITLE.**

21 *Title I (16 U.S.C. 670a et seq.) is further amended*
22 *by inserting after section 108 (as added by section 7 of this*
23 *Act) the following:*

24 **“SEC. 109. SHORT TITLE.**

25 *“This title may be cited as the ‘Sikes Act’.”.*

1 **SEC. 10. COOPERATIVE AGREEMENTS.**

2 (a) *COST SHARING*.—Section 103a(b) (16 U.S.C.
3 670c–1(b)) is amended by striking “matching basis” each
4 place it appears and inserting “cost-sharing basis”.

5 (b) *ACCOUNTING*.—Section 103a(c) (16 U.S.C. 670c–
6 1(c)) is amended by inserting before the period at the end
7 the following: “, and shall not be subject to section 1535
8 of that title”.

9 **SEC. 11. REPEAL.**

10 Section 2 of the Act of October 27, 1986 (Public Law
11 99–651; 16 U.S.C. 670a–1) is repealed.

12 **SEC. 12. CLERICAL AMENDMENTS.**

13 Title I, as amended by this Act, is further amended—

14 (1) in the heading for the title by striking “MILI-
15 TARY RESERVATIONS” and inserting “MILITARY IN-
16 STALLATIONS”;

17 (2) in section 101(a) (16 U.S.C. 670a(a)) by
18 striking “the reservation” and inserting “the installa-
19 tion”;

20 (3) in section 101(b)(4) (16 U.S.C.
21 670a(b)(4))—

22 (A) in subparagraph (A) by striking “the
23 reservation” and inserting “the installation”;
24 and

1 (B) in subparagraph (B) by striking “the
2 military reservation” and inserting “the mili-
3 tary installation”;

4 (4) in section 101(c) (16 U.S.C. 670a(c))—

5 (A) in paragraph (1) by striking “a mili-
6 tary reservation” and inserting “a military in-
7 stallation”; and

8 (B) in paragraph (2) by striking “the res-
9 ervation” and inserting “the installation”;

10 (5) in section 102 (16 U.S.C. 670b) by striking
11 “military reservations” and inserting “military in-
12 stallations”; and

13 (6) in section 103 (16 U.S.C. 670c) by striking
14 “military reservations” and inserting “military in-
15 stallations”.

16 **SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.**

17 (a) *PROGRAMS ON MILITARY INSTALLATIONS.*—Sub-
18 sections (b) and (c) of section 110 (as redesignated by sec-
19 tion 6 of this Act) are each amended by striking “1983”
20 and all that follows through “1993,” and inserting “1995,
21 1996, 1997, and 1998.”.

22 (b) *PROGRAMS ON PUBLIC LANDS.*—Section 209 (16
23 U.S.C. 670o) is amended—

24 (1) in subsection (a), by striking “the sum of
25 \$10,000,000” and all that follows through “to enable

1 *the Secretary of the Interior” and inserting*
2 *“\$4,000,000 for each of fiscal years 1995, 1996, 1997,*
3 *and 1998, to enable the Secretary of the Interior”;*
4 *and*

5 *(2) in subsection (b), by striking “the sum of*
6 *\$12,000,000” and all that follows through “to enable*
7 *the Secretary of Agriculture” and inserting*
8 *“\$5,000,000 for each of fiscal years 1995, 1996, 1997,*
9 *and 1998, to enable the Secretary of Agriculture”.*

10 ***SECTION 1. SHORT TITLE.***

11 ***This Act may be cited as the “Sikes Act Im-***
12 ***provement Amendments of 1995”.***

13 ***SEC. 2. AMENDMENT OF SIKES ACT.***

14 ***Except as otherwise expressly provided,***
15 ***whenever in this Act an amendment or repeal***
16 ***is expressed in terms of an amendment to, or***
17 ***repeal of, a section or other provision, the ref-***
18 ***erence shall be considered to be made to a sec-***
19 ***tion or other provision of the Act entitled “An***
20 ***Act to promote effectual planning, develop-***
21 ***ment, maintenance, and coordination of wild-***
22 ***life, fish, and game conservation and rehabili-***
23 ***tation in military reservations”, approved Sep-***
24 ***tember 15, 1960 (16 U.S.C. 670a et seq.), com-***

1 *monly referred to, and in this Act referred to,*
2 *as the “Sikes Act”.*

3 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**
4 **PLANS GENERALLY.**

5 **(a) IN GENERAL.—Section 101(a) (16 U.S.C.**
6 **670a(a)) is amended—**

7 **(1) by striking “is authorized to” and**
8 **inserting “shall”;**

9 **(2) by striking “in each military res-**
10 **ervation in accordance with a cooperative**
11 **plan” and inserting the following: “on**
12 **military installations. Under the pro-**
13 **gram, the Secretary shall prepare and im-**
14 **plement for each military installation in**
15 **the United States an integrated natural**
16 **resource management plan”;**

17 **(3) by inserting after “reservation is**
18 **located” the following: “, except that the**
19 **Secretary is not required to prepare such**
20 **a plan for a military installation if the**
21 **Secretary determines that preparation of**
22 **such a plan for the installation is not ap-**
23 **propriate”; and**

1 ***(4) by inserting “(1)” after “(a)”, and***
2 ***adding at the end the following new para-***
3 ***graph:***

4 ***“(2) Consistent with essential military***
5 ***requirements to enhance the national se-***
6 ***curity of the United States, the Secretary***
7 ***of Defense shall manage each military in-***
8 ***stallation to provide—***

9 ***“(A) for the conservation of fish***
10 ***and wildlife on the military installa-***
11 ***tion and sustained multipurpose uses***
12 ***of those resources, including hunting,***
13 ***fishing, and trapping; and***

14 ***“(B) public access that is nec-***
15 ***essary or appropriate for those uses.”.***

16 ***(b) CONFORMING AMENDMENTS.—Title I, as***
17 ***amended by subsection (a) of this section, is***
18 ***further amended—***

19 ***(1) in section 101(b) (16 U.S.C.***
20 ***670a(b)) in the matter preceding para-***
21 ***graph (1) by striking “cooperative plan”***
22 ***and inserting “integrated natural re-***
23 ***source management plan”;***

24 ***(2) in section 101(b)(4) (16 U.S.C.***
25 ***670a(b)(4)) by striking “cooperative plan”***

1 *each place it appears and inserting “inte-*
2 *grated natural resource management*
3 *plan”;*

4 *(3) in section 101(c) (16 U.S.C. 670a(c))*
5 *in the matter preceding paragraph (1) by*
6 *striking “a cooperative plan” and insert-*
7 *ing “an integrated natural resource man-*
8 *agement plan”;*

9 *(4) in section 101(d) (16 U.S.C.*
10 *670a(d)) in the matter preceding para-*
11 *graph (1) by striking “cooperative plans”*
12 *and inserting “integrated natural re-*
13 *source management plans”;*

14 *(5) in section 101(e) (16 U.S.C. 670a(e))*
15 *by striking “Cooperative plans” and in-*
16 *serting “Integrated natural resource man-*
17 *agement plans”;*

18 *(6) in section 102 (16 U.S.C. 670b) by*
19 *striking “a cooperative plan” and insert-*
20 *ing “an integrated natural resource man-*
21 *agement plan”;*

22 *(7) in section 103 (16 U.S.C. 670c) by*
23 *striking “a cooperative plan” and insert-*
24 *ing “an integrated natural resource man-*
25 *agement plan”;*

1 ***(8) in section 106(a) (16 U.S.C. 670f(a))***
2 ***by striking “cooperative plans” and in-***
3 ***serting “integrated natural resource man-***
4 ***agement plans”; and***

5 ***(9) in section 106(c) (16 U.S.C. 670f(c))***
6 ***by striking “cooperative plans” and in-***
7 ***serting “integrated natural resource man-***
8 ***agement plans”.***

9 ***(c) CONTENTS OF PLANS.—Section 101(b) (16***
10 ***U.S.C. 670a(b)) is amended—***

11 ***(1) in paragraph (1)—***

12 ***(A) in subparagraph (C) by strik-***
13 ***ing “and” after the semicolon;***

14 ***(B) in subparagraph (D) by strik-***
15 ***ing the semicolon at the end and in-***
16 ***serting a comma; and***

17 ***(C) by adding at the end the fol-***
18 ***lowing:***

19 ***“(E) wetland protection and res-***
20 ***toration, and wetland creation where***
21 ***necessary, for support of fish or wild-***
22 ***life,***

23 ***“(F) consideration of conservation***
24 ***needs for all biological communities,***
25 ***and***

1 ***“(G) the establishment of specific***
2 ***natural resource management goals,***
3 ***objectives, and time-frames for pro-***
4 ***posed actions;”;***

5 ***(2) by striking paragraph (3);***

6 ***(3) by redesignating paragraph (2) as***
7 ***paragraph (3);***

8 ***(4) by inserting after paragraph (1)***
9 ***the following:***

10 ***“(2) shall for the military installation***
11 ***for which it is prepared—***

12 ***“(A) address the needs for fish and***
13 ***wildlife management, land manage-***
14 ***ment, forest management, and wild-***
15 ***life-oriented recreation;***

16 ***“(B) ensure the integration of, and***
17 ***consistency among, the various activi-***
18 ***ties conducted under the plan;***

19 ***“(C) ensure that there is no net***
20 ***loss in the capability of installation***
21 ***lands to support the military mission***
22 ***of the installation;***

23 ***“(D) provide for sustained use by***
24 ***the public of natural resources, to the***
25 ***extent that such use is not inconsist-***

1 *ent with the military mission of the in-*
2 *stallation or the needs of fish and*
3 *wildlife management;*

4 *“(E) provide the public access to*
5 *the installation that is necessary or*
6 *appropriate for that use, to the extent*
7 *that access is not inconsistent with*
8 *the military mission of the installa-*
9 *tion; and*

10 *“(F) provide for professional en-*
11 *forcement of natural resource laws*
12 *and regulations;”;* and

13 *(5) in paragraph (4)(A) by striking*
14 *“collect the fees therefor,” and inserting*
15 *“collect, spend, administer, and account*
16 *for fees therefor,”.*

17 *(d) PUBLIC COMMENT.—Section 101 (16*
18 *U.S.C. 670a) is amended by adding at the end*
19 *the following:*

20 *“(f) PUBLIC COMMENT.—The Secretary of*
21 *Defense shall provide an opportunity for pub-*
22 *lic comment on each integrated natural re-*
23 *source management plan prepared under sub-*
24 *section (a).”.*

1 **SEC. 4. REVIEW FOR PREPARATION OF INTEGRATED NATU-**
2 **RAL RESOURCE MANAGEMENT PLANS.**

3 **(a) REVIEW OF MILITARY INSTALLATIONS.—**

4 **(1) REVIEW.—The Secretary of each**
5 **military department shall, by not later**
6 **than 9 months after the date of the enact-**
7 **ment of this Act—**

8 **(A) review each military installa-**
9 **tion in the United States that is under**
10 **the jurisdiction of that Secretary to**
11 **determine the military installations**
12 **for which the preparation of an inte-**
13 **grated natural resource management**
14 **plan under section 101 of the Sikes**
15 **Act, as amended by this Act, is appro-**
16 **priate; and**

17 **(B) submit to the Secretary of De-**
18 **fense a report on those determina-**
19 **tions.**

20 **(2) REPORT TO CONGRESS.—The Sec-**
21 **retary of Defense shall, by not later than**
22 **12 months after the date of the enactment**
23 **of this Act, submit to the Congress a re-**
24 **port on the reviews conducted under para-**
25 **graph (1). The report shall include—**

1 ***(A) a list of those military instal-***
2 ***lations reviewed under paragraph (1)***
3 ***for which the Secretary of Defense de-***
4 ***termines the preparation of an inte-***
5 ***grated natural resource management***
6 ***plan is not appropriate; and***

7 ***(B) for each of the military instal-***
8 ***lations listed under subparagraph***
9 ***(A), an explanation of the reasons***
10 ***such a plan is not appropriate.***

11 ***(b) DEADLINE FOR INTEGRATED NATURAL RE-***
12 ***SOURCE MANAGEMENT PLANS.—Not later than 2***
13 ***years after the date of the submission of the re-***
14 ***port required under subsection (a)(2), the Sec-***
15 ***retary of Defense shall, for each military in-***
16 ***stallation for which the Secretary has not de-***
17 ***termined under subsection (a)(2)(A) that prep-***
18 ***aration of an integrated natural resource***
19 ***management plan is not appropriate—***

20 ***(1) prepare and begin implementing***
21 ***such a plan mutually agreed to by the***
22 ***Secretary of the Interior and the head of***
23 ***the appropriate State agencies under sec-***
24 ***tion 101(a) of the Sikes Act, as amended***
25 ***by this Act; or***

1 ***(2) in the case of a military installa-***
2 ***tion for which there is in effect a coopera-***
3 ***tive plan under section 101(a) of the Sikes***
4 ***Act on the day before the date of the en-***
5 ***actment of this Act, complete negotiations***
6 ***with the Secretary of the Interior and the***
7 ***heads of the appropriate State agencies***
8 ***regarding changes to that plan that are***
9 ***necessary for the plan to constitute an in-***
10 ***tegrated natural resource plan that com-***
11 ***plies with that section, as amended by this***
12 ***Act.***

13 ***(c) PUBLIC COMMENT.—The Secretary of De-***
14 ***fense shall provide an opportunity for the sub-***
15 ***mission of public comments on—***

16 ***(1) integrated natural resource man-***
17 ***agement plans proposed pursuant to sub-***
18 ***section (b)(1); and***

19 ***(2) changes to cooperative plans pro-***
20 ***posed pursuant to subsection (b)(2).***

21 ***SEC. 5. ANNUAL REVIEWS AND REPORTS.***

22 ***Section 101 (16 U.S.C. 670a) is further***
23 ***amended by adding after subsection (f) (as***
24 ***added by section 3(d) of this Act) the following:***

25 ***“(g) REVIEWS AND REPORTS.—***

1 ***“(1) SECRETARY OF DEFENSE.—The Sec-***
2 ***retary of Defense shall, by not later than***
3 ***March 1 of each year, review the extent to***
4 ***which integrated natural resource man-***
5 ***agement plans were prepared or in effect***
6 ***and implemented in accordance with this***
7 ***Act in the preceding year, and submit a***
8 ***report on the findings of that review to***
9 ***the committees. Each report shall in-***
10 ***clude—***

11 ***“(A) the number of integrated nat-***
12 ***ural resource management plans in***
13 ***effect in the year covered by the re-***
14 ***port, including the date on which***
15 ***each plan was issued in final form or***
16 ***most recently revised;***

17 ***“(B) the amount of moneys ex-***
18 ***pended on conservation activities con-***
19 ***ducted pursuant to those plans in the***
20 ***year covered by the report, including***
21 ***amounts expended under the Legacy***
22 ***Resource Management Program estab-***
23 ***lished under section 8120 of the Act of***
24 ***November 5, 1990 (Public Law 101-***
25 ***511; 104 Stat. 1905); and***

1 ***“(C) an assessment of the extent to***
2 ***which the plans comply with the re-***
3 ***quirements of subsection (b)(1) and***
4 ***(2), including specifically the extent to***
5 ***which the plans ensure in accordance***
6 ***with subsection (b)(2)(C) that there is***
7 ***no net loss of lands to support the***
8 ***military missions of military installa-***
9 ***tions.***

10 ***“(2) SECRETARY OF THE INTERIOR.—The***
11 ***Secretary of the Interior, by not later than***
12 ***March 1 of each year and in consultation***
13 ***with State agencies responsible for con-***
14 ***servation or management of fish or wild-***
15 ***life, shall submit a report to the commit-***
16 ***tees on the amount of moneys expended by***
17 ***the Department of the Interior and those***
18 ***State agencies in the year covered by the***
19 ***report on conservation activities con-***
20 ***ducted pursuant to integrated natural re-***
21 ***source management plans.***

22 ***“(3) COMMITTEES DEFINED.—For pur-***
23 ***poses of this subsection, the term ‘commit-***
24 ***tees’ means the Committees on Resources***
25 ***and National Security of the House of***

1 ***Representatives and the Committees on***
2 ***Armed Services and Environment and***
3 ***Public Works of the Senate.”.***

4 ***SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATURAL***
5 ***RESOURCE MANAGEMENT PLANS; ENFORCE-***
6 ***MENT OF OTHER LAWS.***

7 ***Title I (16 U.S.C. 670a et seq.) is amended—***
8 ***(1) by redesignating section 106 as sec-***
9 ***tion 110; and***
10 ***(2) by inserting after section 105 the***
11 ***following:***

12 ***“SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.***

13 ***“All Federal laws relating to the conserva-***
14 ***tion of natural resources on Federal lands***
15 ***may be enforced by the Secretary of Defense***
16 ***with respect to violations of those laws which***
17 ***occur on military installations within the***
18 ***United States.”.***

19 ***SEC. 7. NATURAL RESOURCE MANAGEMENT SERVICES.***

20 ***Title I (16 U.S.C. 670a et seq.) is amended***
21 ***by inserting after section 106 (as added by sec-***
22 ***tion 6 of this Act) the following:***

23 ***“SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.***

24 ***“The Secretary of each military depart-***
25 ***ment shall ensure that sufficient numbers of***

1 *professionally trained natural resource man-*
 2 *agement personnel and natural resource law*
 3 *enforcement personnel are available and as-*
 4 *signed responsibility to perform tasks nec-*
 5 *essary to comply with this Act, including the*
 6 *preparation and implementation of integrated*
 7 *natural resource management plans.”.*

8 *SEC. 8. DEFINITIONS.*

9 *Title I (16 U.S.C. 670a et seq.) is further*
 10 *amended by inserting after section 107 (as*
 11 *added by section 7 of this Act) the following:*

12 *“SEC. 108. DEFINITIONS.*

13 *“In this title:*

14 *“(1) MILITARY DEPARTMENT.—The term*
 15 *‘military department’ means the Depart-*
 16 *ment of the Army, the Department of the*
 17 *Navy, and the Department of the Air*
 18 *Force.*

19 *“(2) MILITARY INSTALLATION.—The term*
 20 *‘military installation’—*

21 *“(A) means any land or interest in*
 22 *land owned by the United States and*
 23 *administered by the Secretary of De-*
 24 *fense or the head of a military depart-*
 25 *ment; and*

1 ***“(B) includes all public lands***
2 ***withdrawn from all forms of appro-***
3 ***priation under public land laws and***
4 ***reserved for use by the Secretary of***
5 ***Defense or the head of a military de-***
6 ***partment.***

7 ***“(3) STATE FISH AND WILDLIFE AGEN-***
8 ***CY.—The term ‘State fish and wildlife***
9 ***agency’ means an agency of State govern-***
10 ***ment that is responsible under State law***
11 ***for managing fish or wildlife resources.***

12 ***“(4) UNITED STATES.—The term ‘United***
13 ***States’ means the States, the District of***
14 ***Columbia, and the territories and posses-***
15 ***sions of the United States.’.***

16 ***SEC. 9. SHORT TITLE.***

17 ***Title I (16 U.S.C. 670a et seq.) is further***
18 ***amended by inserting after section 108 (as***
19 ***added by section 7 of this Act) the following:***

20 ***“SEC. 109. SHORT TITLE.***

21 ***“This title may be cited as the ‘Sikes Act’.”.***

22 ***SEC. 10. COOPERATIVE AGREEMENTS.***

23 ***(a) COST SHARING.—Section 103a(b) (16***
24 ***U.S.C. 670c-1(b)) is amended by striking***

1 *“matching basis” each place it appears and*
2 *inserting “cost-sharing basis”.*

3 *(b) ACCOUNTING.—Section 103a(c) (16*
4 *U.S.C. 670c-1(c)) is amended by inserting be-*
5 *fore the period at the end the following: “, and*
6 *shall not be subject to section 1535 of that*
7 *title”.*

8 *SEC. 11. REPEAL.*

9 *Section 2 of the Act of October 27, 1986*
10 *(Public Law 99-651; 16 U.S.C. 670a-1) is re-*
11 *pealed.*

12 *SEC. 12. CLERICAL AMENDMENTS.*

13 *Title I, as amended by this Act, is further*
14 *amended—*

15 *(1) in the heading for the title by*
16 *striking “MILITARY RESERVATIONS” and in-*
17 *serting “MILITARY INSTALLATIONS”;*

18 *(2) in section 101(a) (16 U.S.C.*
19 *670a(a)) by striking “the reservation” and*
20 *inserting “the installation”;*

21 *(3) in section 101(b)(4) (16 U.S.C.*
22 *670a(b)(4))—*

23 *(A) in subparagraph (A) by strik-*
24 *ing “the reservation” and inserting*
25 *“the installation”; and*

1 ***(B) in subparagraph (B) by striking***
 2 ***“the military reservation” and in-***
 3 ***serting “the military installation”;***

4 ***(4) in section 101(c) (16 U.S.C.***
 5 ***670a(c))—***

6 ***(A) in paragraph (1) by striking***
 7 ***“a military reservation” and inserting***
 8 ***“a military installation”; and***

9 ***(B) in paragraph (2) by striking***
 10 ***“the reservation” and inserting “the***
 11 ***installation”;***

12 ***(5) in section 102 (16 U.S.C. 670b) by***
 13 ***striking “military reservations” and in-***
 14 ***serting “military installations”; and***

15 ***(6) in section 103 (16 U.S.C. 670c) by***
 16 ***striking “military reservations” and in-***
 17 ***serting “military installations”.***

18 ***SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.***

19 ***(a) PROGRAMS ON MILITARY INSTALLA-***
 20 ***TIONS.—Subsections (b) and (c) of section 110***
 21 ***(as redesignated by section 6 of this Act) are***
 22 ***each amended by striking “1983” and all that***
 23 ***follows through “1993,” and inserting “1995,***
 24 ***1996, 1997, and 1998,”.***

1 ***(b) PROGRAMS ON PUBLIC LANDS.—Section***
2 ***209 (16 U.S.C. 670o) is amended—***

3 ***(1) in subsection (a), by striking “the***
4 ***sum of \$10,000,000” and all that follows***
5 ***through “to enable the Secretary of the In-***
6 ***terior” and inserting “\$4,000,000 for each***
7 ***of fiscal years 1995, 1996, 1997, and 1998,***
8 ***to enable the Secretary of the Interior”;***
9 ***and***

10 ***(2) in subsection (b), by striking “the***
11 ***sum of \$12,000,000” and all that follows***
12 ***through “to enable the Secretary of Agri-***
13 ***culture” and inserting “\$5,000,000 for***
14 ***each of fiscal years 1995, 1996, 1997, and***
15 ***1998, to enable the Secretary of Agri-***
16 ***culture”.***

Union Calendar No. 57

104TH CONGRESS
1ST SESSION

H. R. 1141

[Report No. 104-107, Parts I and III]

A BILL

To amend the Act popularly known as the “Sikes Act” to enhance fish and wildlife conservation and natural resources management programs.

JUNE 1, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed